

REMARKS

With respect to the double-patenting rejection, it is again reiterated that at such time as the rejection is no longer provisional, the applicant will consider whether to file an appropriate petition. This statement is without derogation of the applicant's right to contest the double-patenting rejection. The problem is that until such times as claims are allowable, one cannot know where a double-patenting rejection might possibly lie. Therefore deferral is the only viable option.

With respect to the specification objection, the claims have been amended to remove the issue.

"Windings"

With respect to the rejection of claims 65-73, 75-79, and 81-82, the assertion that Dwyer teaches windings takes what is believed to be an unusual construction of the word "winding". It is believed that there is nothing in Dwyer (other than coil springs 144) that could possibly constitute a "winding". Merriam-Webster Online (see attached) defines "winding" as "material ...coiled about an object..." Thus, the assertion that "Dwyer anticipates the claim language where the diameter of at least one winding as claimed is that of six windings that are on opposite sides of the anchor (14R). See Figure 35". There can be no windings (other than coil springs 144) in Dwyer, nor anything that anyone of ordinary skill in the art could possibly call a winding.

Claim 65, for example, has further been amended to also call for closed loops wrapped back upon themselves, the loops being part of a helical coil. Dwyer cannot possibly show such structure. Reconsideration of the rejections would be appropriate.

Further, the Office Action suggests that Figures 35-38 illustrate merely the anchor portion where radially overlapping windings of wire form part of the resilient elements. There is nothing that may reasonably be called by one skilled in the art "radially overlapping windings". If the requirement is to be maintained, it would clarify the record if the examiner would specifically point to a reference element or the exact structure asserted to be a winding.

The following statement in the Office Action is not understood:

With regard to claim 65, 66, and 69, the bundle of windings of a single strand of resilient metal wire is not viewed as being limited to only of a single strand. Rather, the bundle could comprise two strands of wire (six windings in all) positioned on opposite sides of the resilient element or anchor (14R) of Dwyer".
[Emphasis added.]

See Office Action at page 5. The claims say that the bundle of windings is a single strand and yet the Office Action seems to refuse to recognize that limitation. The authority for the proposition that the requirement that the bundle be formed of a single strand could be met by something which comprises two strands is respectfully requested.

Diameters of Annular Element, Windings, and Graft

The claims call for various arrangements between the graft, windings, and annular element. Each of these limitations distinguishes the composite including anchor 14 and springs 144 of Dwyer.

Claim 67 calls for the ring and graft to be coaxial. In Dwyer, the graft 10 is not coaxial with any spring 144 or the anchor 14. The springs 144 are also not coaxial with the anchor 4. Claim 82, as another example, calls for the annular resilient element to have a central axis parallel to the length of the graft. The springs 144 have their axes perpendicular to the length of the graft. Claim 65 specifies that a diameter of the graft is parallel to a diameter of the ring. In Dwyer the anchor diameter is transverse to every diameter of the springs.

Copending Applications

A list of the copending applications is provided below. The examiner is requested to refer to the image file wrapper for the 10/832,159, 11/205,826, and 11/496,126 applications to view the claims.

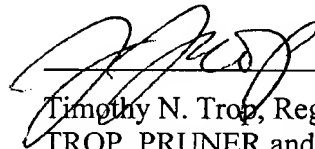
1. Serial No. 10/832,159, filed April 26, 2004, which is a divisional of 09/365,860, filed August 3, 1999 (now issued), which is a continuation of this application.
2. Serial No. 11/205,826, filed August 17, 2005, which is a continuation of application 10/124,944, filed April 18, 2002 (now issued), which is a divisional of this application.

3. Serial No. 11/496,162, filed July 31, 2006, which is a continuation of application 10/118,409, filed April 8, 2002 (now issued), which is a continuation of this application.


Respectfully submitted,

Date:


July 6, 2007



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winding

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Go

Main Entry: ¹**wind-ing** 

Pronunciation: 'wIn-di[ng]

Function: *noun*

1 : material (as wire) wound or coiled about an object (as an armature); *also* : a single turn of the wound material

2 a : the act of one that **winds** **b** : the manner of winding something

3 : a curved or sinuous course, line, or progress

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winding 

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